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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,594	01/18/2002	H. Brock Kolls	USE-673US	3298

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EXAMINER	
CHEUNG, MARY DA ZHI WANG	
ART UNIT	PAPER NUMBER
3694	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/051,594	KOLLS, H. BROCK	
	Examiner	Art Unit	
	MARY CHEUNG	3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 February 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *42-83* is/are pending in the application.

4a) Of the above claim(s) *68-82* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *42-67 and 83* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *3/19/08*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status of the Claims

1. This action is in response to the RCE filed on February 29, 2008. Claims 42-83 are pending. Claims 68-82 are withdrawn. Claim 83 is added. Claims 42 and 63 are amended. Claims 42-67 and 83 are examined.

Response to Arguments

2. Applicant's arguments with respect to claims 42-67 and 83 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 42, 47-53, 55, 57-58, 62-63, 67 and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Stallmann, US 7,089,322 B1.

As to claim 42, Tognazzini teaches a wireless system for communicating cashless vending transaction data and vending machine audit data to remote locations comprising (column 3 lines 3-20):

a) a vending machine controller interconnected with a vending machine, said vending machine controller further comprising a plurality of peripheral device interfaces (column 6 lines 24-46 and Figs. 2A-2B);

b) a vending interface unit (VIU) interconnected with at least one of said plurality of peripheral device interfaces, said VIU effectuates cashless vending transactions and obtains vending machine audit data from said vending machine controller, said VIU further comprising a first transceiver (column 3 lines 3-11 and column 6 lines 24-59 and column 7 lines 4-12 and Figs. 2A-2B);

c) a base unit remote to the vending machine, said base unit comprising a second transceiver configured for wireless communication with said first transceiver (column 5 lines 15-63 and Figs. 1A-2B).

Tognazzini does not specifically teach the base unit further comprising a communication interface for communicating with a remote location remote to the vending machine and the base unit, said base unit communicating data received from the vending machine to the remote location and communicating data received from the remote location to the vending machine. However, this matter is taught by Stallmann as a central computer auditing and receiving all the transactions between the vending machine and the customers from a remote location (abstract and column 16 lines 37-40 and Fig. 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to vending system in Tognazzini's teaching to include a centralized system for auditing and receiving the communicating data between the vending machine and the customer from a remote location as taught by Stallmann for better auditing the status of the vending machine.

As to claim 47, Tognazzini teaches the remote location is at least one of the following: credit bureau; a network center; a global network based data processing resource; or USALIVE (column 1 line 67 – column 2 line 25 and column 3 lines 12-20).

As to claim 48, Tognazzini teaches said communication interface is at least one of the following: a modem interface; a network connection; an interactive interface; a serial interface; or a wireless interface (column 1 line 67 – column 2 line 25 and column 3 lines 12-20).

As to claim 49, Tognazzini teaches said wireless interface is an interface to at least one of the following wireless devices: PCS network data modem; cellular network data modem; CDPD modem; CDMA modem; 2G wireless modem; 3G wireless modem; or RIM data modem. (column 1 line 67 – column 2 line 25).

As to claims 50-51, Tognazzini teaches the wireless interface as discussed above. Tognazzini does not specifically teach the wireless interface is a local area network connection or a wide area network connection. However, Stallmann teaches this matter (column 7 lines 29-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the wireless interface in Tognazzini's teaching to use a local area network connection or a wide area network connection for better data communication.

As to claim 52, Tognazzini teaches more than one of said VIU data communicates with said base unit (abstract).

As to claim 53, Tognazzini teaches the VIU wirelessly programs said base unit (column 9 lines 6-16).

As to claim 55, Tognazzini teaches the peripheral device interface is at least one of the following: a multi-drop-bus (MDB) interface; a coin acceptor interface; a bill acceptor interface; a serial interface; or a data exchange (DEX) interface (Fig. 2A-2B).

As to claim 57, Tognazzini teaches data communication between said base unit and said remote location is effectuated with a phone line (column 5 line 64 – column 6 line 5).

As to claim 58, Tognazzini teaches data communication between said base unit and said remote location is effectuated with a network connection (column 5 line 64 – column 6 line 5).

As to claims 62 and 67, Tognazzini teaches cashless transaction data and vending machine audit data is selectively data communicated to said remote location when said remote location is at least one of the following: a network center; a global network based data processing resource; or USALIVE (column 1 line 67 – column 2 line 25 and column 3 lines 12-20). Tognazzini does not specifically teach cashless transaction data only is selectively data communicated to said remote location when said remote location is a credit bureau. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the data communications in Tognazzini's teaching to communicate to the remote location when the remote location at a desired location (i.e. a credit bureau or other desired location) for better controlling the data communication environment.

Claim 63 and 83 are in parallel with the limitations presented in claims 42 and 55, thus, it is rejected on the same basis.

5. Claims 43, 56, 59-60 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Stallmann, US 7,089,322 B1, and in further view of Official Notice.

As to claims 43 and 64, Tognazzini modified by Stallmann teaches the first transceiver and the second transceiver as discussed above. Tognazzini modified by Stallmann does not specifically teach said first transceiver, and or said second transceiver is at least one of the following types of transceiver: a single channel transceiver; a dual channel transceiver; a spread spectrum transceiver; a single channel transceiver in the 430Mhz range; a dual channel transceiver in the 430Mhz range; a spread spectrum transceiver in the 430Mhz range; a single channel transceiver in the 900Mhz range; a dual channel transceiver in the 900Mhz range; a spread spectrum transceiver in the 900Mhz range; a single channel transceiver in the 2.4Ghz range; a dual channel transceiver in the 2.4Ghz range; or a spread spectrum transceiver in the 2.4Ghz range. Office Notice is taken for these well-known types of transceiver. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the first transceiver and/or the second transceiver in the teaching of Tognazzini modified by Stallmann to include as least one of these types of transceivers for better data transmission.

As to claim 56, Tognazzini modified by Stallmann does not specifically teach the base unit is a wall mount unit. Office Notice is taken for the feature that the base unit is a wall mount unit. It would have been obvious to one of ordinary skill in the art at the

time the invention was made to allow the base unit in the teaching of Tognazzini modified by Stallmann to be a wall mount unit for stabilize the base unit.

As to claims 59-60, Tognazzini modified by Stallmann teaches using cryptographic technology for securing data communications (column 7 lines 31-44 and column 8 lines 25-29). Tognazzini modified by Stallmann does not specifically teach data communication between said VIU and said base unit is encrypted, and data communication between said base unit and said remote location is unencrypted. Office Notice is taken regarding the well-know technology of encrypting or unencrypting data. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the data communication in the teaching of Tognazzini modified by Stallmann to be encrypted or unencrypted for better suit the data security concern during the transaction.

6. Claims 44 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Stallmann, US 7,089,322 B1, and in further view of Aguayo, Jr. et al., US 6,285,856 B1

As to claims 44 and 65, Tognazzini modified by Stallman teaches data communication between the base unit and VIU in a remote location as discussed above. Tognazzini modified by Stallman does not specifically teach said base unit, while in a non data communicating mode of operation with said VIU, receives a signal from said remote location and broadcasts, in response to said signal, a polling signal to said VIU, receipt of said polling signal causing said VIU, in a timely manner, to initiate a data communication session with said remote location. However, this matter is taught

by Aguayo as data communication is established between central transmission/receiver unit and remote terminals, and polling signals are generated by the central transmission/receiver unit for polling particular remote terminal to determine its operational status (column 6 lines 1-13). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teaching of Tognazzini modified by Stallmann to include polling signals as taught by Aguayo for better determine operational status at a remote location.

7. Claims 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Stallmann, US 7,089,322 B1, and in further view of Bensky et al., US 6,859,761 B2.

As to claims 45-46, Tognazzini modified by Stallmann teaches the first transceiver and the second transceiver as discussed above. Tognazzini modified by Stallmann does not specifically teach at least one of the first transceiver and the second transceiver use half duplex or full duplex. However, Bensky teaches this matter (column 6 line 66 – column 7 line 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the transceivers in the teaching of Tognazzini modified by Stallmann to use half duplex or full duplex as taught by Bensky for better data communication.

8. Claims 54 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Stallmann, US 7,089,322 B1, and in further view of Cahalan, US 4,737,967.

As to claims 54 and 66, Tognazzini modified by Stallmann teaches the VIU wirelessly programs the communication interface of the remote location (column 9 lines 6-16). Tognazzini modified by Stallmann does not specifically teach the VIU wirelessly programs the baud rate of said communication interface to match the baud rate of said remote location. However, Cahalan teaches adjusting the baud rate to match the desired baud rate (column 3 lines 3-21). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the VIU in the teaching of Tognazzini modified by Stallmann to include the function of adjusting the baud rate to match the desired baud rate for better data communication.

9. Claim 61 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Stallmann, US 7,089,322 B1, and in further view of Johnson, US 6,804,252 B1.

As to claim 61, Tognazzini modified by Stallmann teaches data communications between VIU and the base unit at the remote location without packet level error check (abstract). Tognazzini modified by Stallmann does not specifically teach at the remote location assembles said plurality of wireless packets into a data message, said remote location error checks said data message, said remote location communicates an acknowledge or not-acknowledge, based on error check results of said data message, to said VIU by way of said base unit. However, this matter is taught by Johnson as wireless packet data communications, wherein wireless data packet is assembled into a data message, error check is performed for the message, and acknowledgement will be sent if the message is proper (column 4 lines 26-41 and column 5 lines 47-60 and

column 7 lines 11-16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the data communications in the teaching of Tognazzini modified by Stallmann to include wherein wireless data packet is assembled into a data message, error check is performed for the message, and acknowledgement will be sent if the message is proper for enhance the communications between the VIU and the base unit.

Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (571)-272-6705. The examiner can normally be reached on Monday – Thursday from 10:00 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (571) 272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The fax phone number for the organization where this application or proceedings is assigned are as follows:

(571) 273-8300 (Official Communications; including After Final Communications labeled "BOX AF")

(571) 273-6705 (Draft Communications)

/Mary Cheung/
Primary Examiner, Art Unit 3694
May 26, 2008